



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE  
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Attorneys for Secured Creditor  
PNC Bank, National Association

In Re:

Umit Arat,

Debtor.

Order Filed on December 4, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 19-20673 VFP  
Adv. No.:  
Hearing Date: 10/17/19 @ 8:30 a.m.

Judge: Vincent F. Papalia

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: December 4, 2019**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".  
\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

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Debtor:

Case No.:

Caption:

Umit Arat  
19-20673 VFP

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, holder of a mortgage on real property located at 175 West 2nd Street, Clifton, NJ, 07011, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and David G. Beslow, Esquire, attorney for Debtor, Umit Arat, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** PNC's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtors' Chapter 13 Plan

It is **FURTHER ORDERED, ADJUDGED and DECREED** The avoidance of PNC's second lien is contingent upon the Debtors' completion of the Chapter 13 plan and the Debtors' receipt of a Chapter 13 discharge

It is **FURTHER ORDERED, ADJUDGED and DECREED** PNC, N.A. shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Code

It is **FURTHER ORDERED, ADJUDGED and DECREED** Each party shall bear their own attorney's fees and costs incurred in the present case number

It is **FURTHER ORDERED, ADJUDGED and DECREED** In the event that the property is destroyed or damaged, pursuant to the mortgage, PNC, N.A. is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage

It is **FURTHER ORDERED, ADJUDGED and DECREED** In the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtors' completion of the Chapter 13 plan, PNC's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale

It is **FURTHER ORDERED, ADJUDGED and DECREED** PNC, N.A. shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge, and objection to confirmation is hereby resolved.

In re:  
Umit Arat  
Debtor

Case No. 19-20673-VFP  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 05, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 07, 2019.

db +Umit Arat, 175 W 2nd St, Clifton, NJ 07011-2409

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 07, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 5, 2019 at the address(es) listed below:

David G. Beslow on behalf of Debtor Umit Arat [yrodriguez@goldmanlaw.org](mailto:yrodriguez@goldmanlaw.org),  
[yrodriguez.knight29@gmail.com](mailto:yrodriguez.knight29@gmail.com); [ecf-control@goldman-beslow.com](mailto:ecf-control@goldman-beslow.com); [r64764@notify.bestcase.com](mailto:r64764@notify.bestcase.com)  
Denise E. Carlon on behalf of Creditor PNC BANK, National Association [dcarlon@kmllawgroup.com](mailto:dcarlon@kmllawgroup.com),  
[bkgroup@kmllawgroup.com](mailto:bkgroup@kmllawgroup.com)  
Jill Manzo on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER  
PARTICIPATION TRUST By Caliber Home Loans, INC., as its attorney in fact [bankruptcy@feinsuch.com](mailto:bankruptcy@feinsuch.com)  
Marie-Ann Greenberg [magecf@magruee.com](mailto:magecf@magruee.com)  
Rebecca Ann Solarz on behalf of Creditor PNC BANK, National Association  
[rsolarz@kmllawgroup.com](mailto:rsolarz@kmllawgroup.com)  
Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER  
PARTICIPATION TRUST By Caliber Home Loans, INC., as its attorney in fact [smncina@rascrane.com](mailto:smncina@rascrane.com)  
U.S. Trustee [USTPRegion03.NE.ECF@usdoj.gov](mailto:USTPRegion03.NE.ECF@usdoj.gov)

TOTAL: 7